IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

INSOLVENCY PETITION NO.45 OF 2005

Re : M/s.Swastik Trading Corporation & Ors. ...Debtors.
Ex-parte:
Kanak Bakulesh Mehta. ..Petg. Creditor.

....

Ms. K.S. Lalwani for the Petitioning Creditor.

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CORAM : DR.D.Y.CHANDRACHUD, J.

August 1, 2006.

P.C.

An insolvency notice was issued on 2nd December 2004 for the recovery of the sum of Rs.28,795.50 due and payable under a decree on admission passed by the City Civil Court. The insolvency notice was served on 31st December 2004. The act of insolvency was complete on 5th February 2005. The petition has been served on 5th August 2005. There is no reply to the petition. The petition is made absolute in terms of prayer clause (a). However, having regard to the provisions of Section 90(1) of the Presidency Towns Insolvency Act, 1909 and since Petition Nos.43 of 2005 and 44 of 2005 have already been allowed, it would be appropriate to direct that the proceedings arising out of the present petition be consolidated with the proceedings in the earlier

petitions. In these circumstances, separate advertisement is dispensed with in this case.

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